



FREDERICK COUNTY PLANNING COMMISSION

March 8, 2017

TITLE: Country Side

FILE NUMBER: SP-16-11 (AP #17059, APFO#17060, FRO #17062)

REQUEST: Site Development Plan Approval

The Applicant is requesting site development plan approval for the construction of 26 additional parking spaces, as well as approval to allow a townhouse development to access a private drive, on a .97-acre portion of the 11.29 acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION:

Located at the corner of Buckeystown Pike and Conestoga Trail, north of English Muffin Way.

TAX MAP/PARCEL:

Tax Map 86, Parcel 256

COMP. PLAN:

Medium Density Residential

ZONING:

Planned Unit Development (PUD)

PLANNING REGION:

Adamstown

WATER/SEWER:

W-1/S-1

APPLICANT/REPRESENTATIVES:

APPLICANT:

Russell Holdings, LLC.

OWNER:

Country Side of Frederick HOA, Inc.

ENGINEER:

Harris, Smariga & Associates, Inc.

ARCHITECT:

N/A

ATTORNEY:

David Severn

STAFF:

Tolson DeSa, Acting Zoning Administrator

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1-Country Side Site Plan Rendering

Exhibit 2-Country Side Landscape Plan Modification

STAFF REPORT

ISSUE

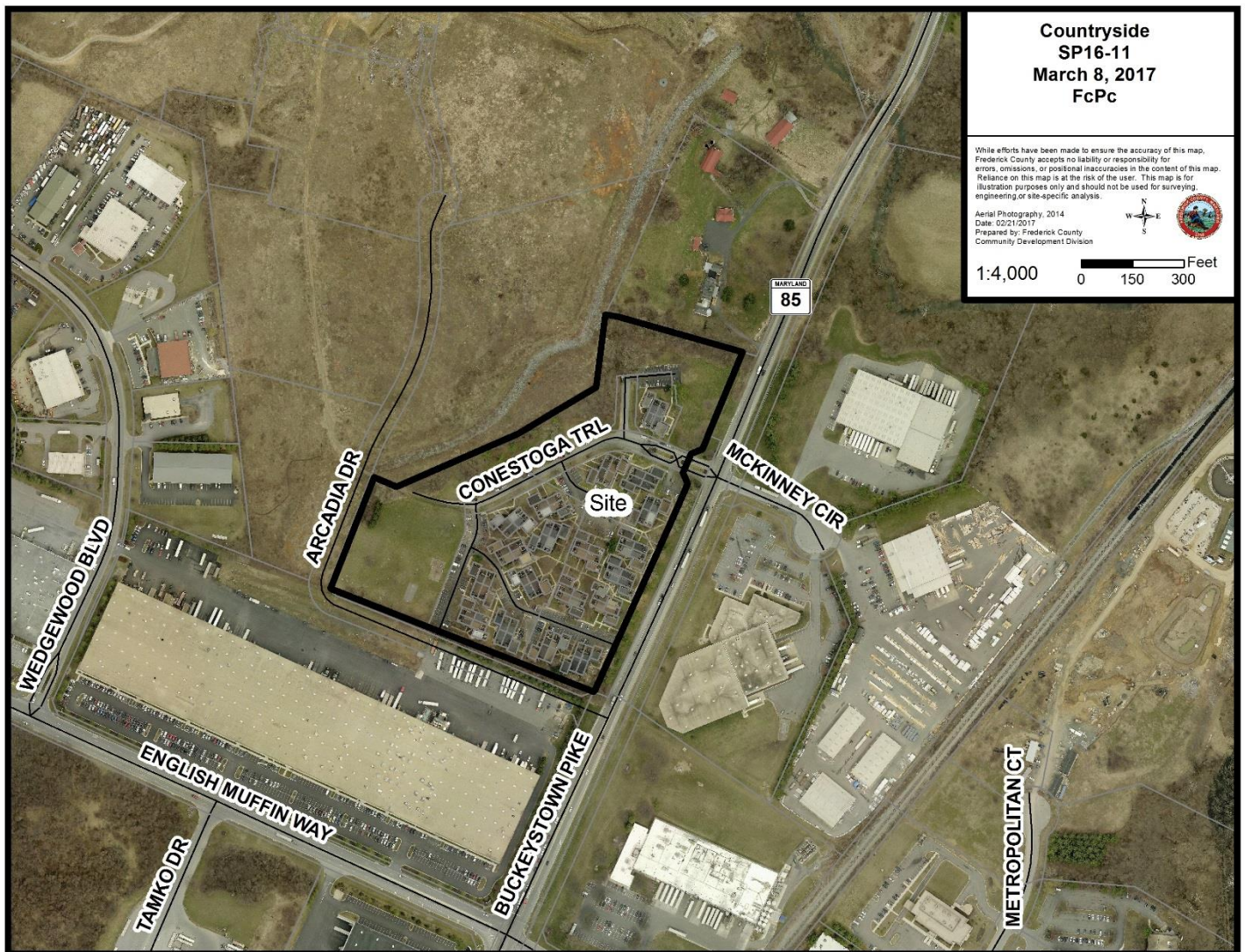
Development Request

The Applicant is requesting site plan approval for the construction of 26 additional parking spaces, as well as approval to allow a townhouse development to access a private drive, on a .97-acre portion of the 11.29 acre site. This plan amendment proposes that 37,141 square feet of existing Conestoga Trail right-of-way will become a private roadway to be maintained by Country Side of Frederick HOA, Inc. As provided in section 1-19-4.520(B), the Planning Commission must approve a townhouse development accessing a private drive rather than a public right-of-way. There is a separate addition plat (AP 17098) associated with the overall development of the nearby Arcadia Business Park. The addition plat proposes a .71 acre addition from Country Side PUD to Arcadia Business Park Lot 6.

This plan also proposes a revised alignment for Arcadia Drive through the Country Side Planned Unit Development (PUD).

All applicable conditions of the previous approved site plan apply to this plan. This plan is only being reviewed to gain FCPC approval for the 26 parking spaces and the townhouse development access from a private street as required by Z.O. Section 1-19-4.520.B, see Graphic #1.

Graphic #1: Country Side PUD Site Aerial



Country Side PUD

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BACKGROUND

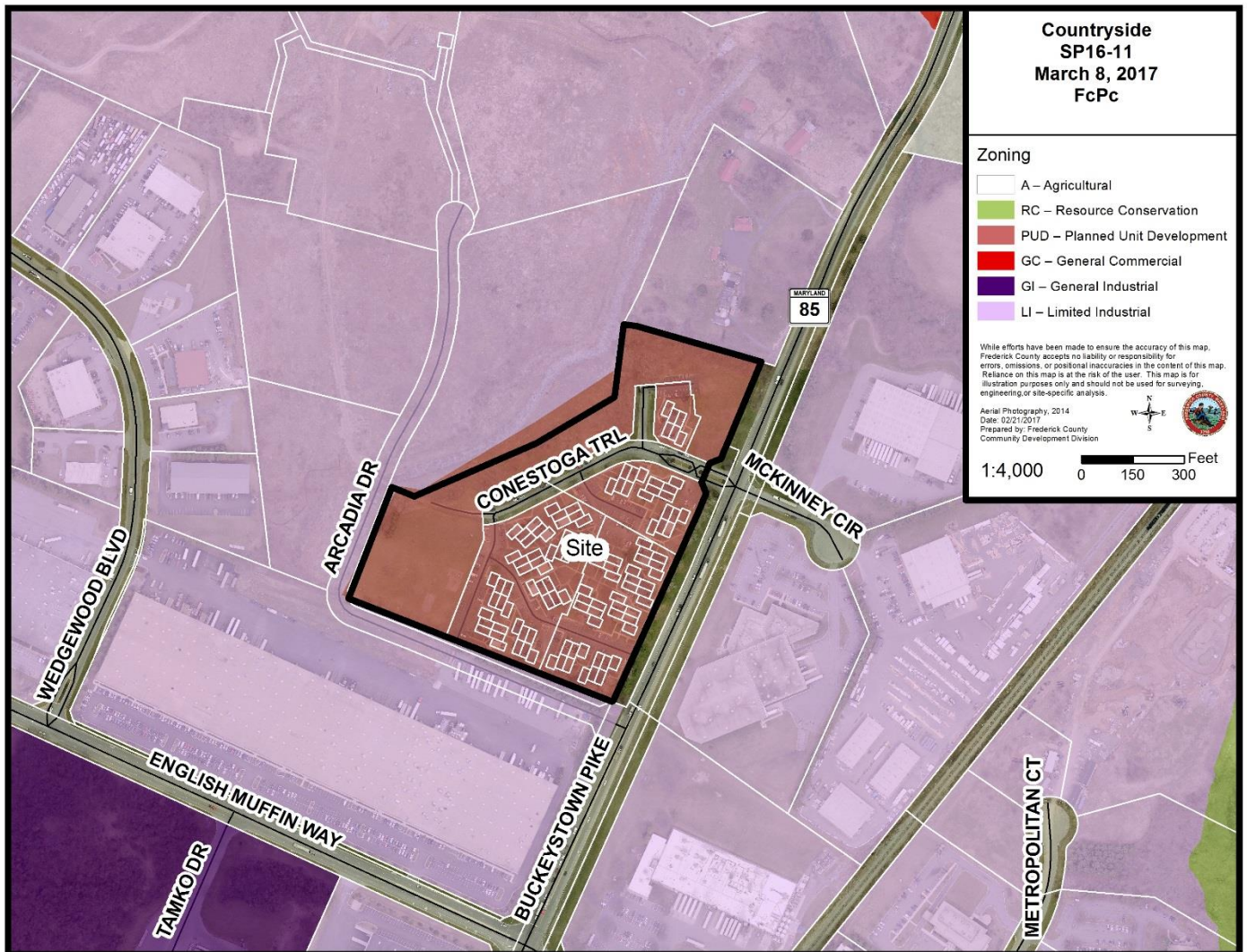
Development History

This site had prior site plan approval for a townhouse PUD, there is no increase or density proposed as part of this application.

Existing Site Characteristics

The site is currently zoned Planned Unit Development (PUD), and is developed with 76 townhouse units within 19 structures. The properties to the north and west of the site are currently vacant, zoned Light Industrial (LI), and are approved for 413,730 square feet of General Light Industrial Building space on 6 lots on a 61.50-acre site known as the Arcadia Business Park (formerly Russell Property). Properties to the east are zoned LI and are developed with a variety of uses within the McKinny Industrial Park. The property to the south is also zoned LI and is developed with the 378,000 square foot Wedgewood II Office/Warehouse building, see Graphic #2.

Graphic #2: Country Side PUD Site Zoning Map



ANALYSIS

Summary of Development Standards Findings and Conclusions

The site presents several issues that added challenges to the development of this project.

1. **Adjacent Residential Development:**

- a. The Arcadia Business Park development surrounds the Country Side PUD (approximately 35 acres) on the south, west and northern sides. Originally, the entire area of the Russell development site was part of a residential PUD. Only a 30-acre portion was actually developed with attached single family units, an additional 5-acre buffer behind the units was added, creating a total of 35 acres within Country Side PUD.
- b. To address the limited site-access problems, the Applicant acquired land from the adjoining Country Side PUD development. The Applicant worked with the Home Owners Association (HOA) to acquire the additional land needed for a safe entry onto MD 85.
- c. The Arcadia Business Park development plan adds landscape improvements designed to mitigate the effects of an existing residential development that is surrounded by a planned industrial development.

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): *Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-6.100:** The dimensional requirements and bulk standards are not proposed to be altered.
2. **Signage §1-19-6.300:** The 40 square foot existing sign is proposed to be relocated as part of this site plan application. The dimensions of the existing sign will not change. The relocated sign meets the dimensional requirements per Z.O. Section 1-19-6.320.
3. **Landscaping & Screening §1-19-6.400:** The Applicant is proposing to add a 26 space parking area on the west side of Conestoga Trail. The Applicant is proposing three landscaped islands within the parking area planted with 2 London Plane Trees, 1 Amur Maple and 6 Bayberry shrubs. The Applicant is seeking a modification in accordance with Z.O. Section 1-19-6.400.I to allow an alternative landscape buffering and screening plan, and to allow an average of 13 parking space per bay, (see Exhibit #2).

The Applicant is required to provide a mixture of plantings including evergreen shrubs or trees spaced at intervals which are expected to achieve a mixture of height at maturity between 6 feet and 15 feet and to provide complete buffering and screening from the residential zoning district, as determined by the Planning Commission. The Applicant is requesting that the existing 100' wooded buffer be utilized to meet the required parking lot buffering and screening requirements.

The Applicant is requesting 13 spaces per parking bay, over the required maximum of 10 spaces due to numerous underground utilities in the vicinity of the proposed parking area. A larger parking bay would provide the Applicant with increased flexibility during construction to avoid the underground utilities.

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4. **Lighting §1-19-6.500:** There are no lighting alterations proposed as part of this site plan application.

Modifications: Alternative Landscape Plan §1-19-6.400.I: The Applicant is seeking a modification to permit an alternative landscape plan to permit a 13 space parking bay over the required 10 space maximum and to allow the existing 100' wooded buffer to meet the required parking lot buffering and screening requirements.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

1. **Access/Circulation:** A short dead-end road "Conestoga Trail" serves the Country Side townhouse development. An extension (Arcadia Drive) of Conestoga trail is proposed and reflected on the revised Arcadia Business Park Preliminary Plan (AP 16796) and will also be reflected on this revised site plan for the Country Side townhouse development. The new entrance is designed as a 60' wide access onto MD 85 and will eventually provide a safer access into the Country Side development due to a planned traffic signal to be constructed at MD 85 and the existing Conestoga Trail by the Arcadia Business Park developer.

A 37,141 square foot portion of existing Country Side PUD will be added to existing Lot 6 within the Arcadia Business Park through a separate addition plat. All applicable conditions of the previously approved Country Side site plan apply to this plan.

The existing roadway will transfer from public to private through the open/close/alter process and will be modified to include the proposed 26 parking spaces. Other than these proposed changes, the existing roadway will remain unchanged.

2. **Connectivity §1-19-6.220 (F):** The plan is proposing sidewalks along both sides of future Arcadia Drive, as well as a sidewalk connection into the Arcadia Business Park on the north side of future Arcadia Drive.
3. **Public Transit:** This Site is served by the MD 85 Commuter Shuttle, which runs Monday through Friday and drops off/picks up at Wedgewood Boulevard and English Muffin Way in the adjoining Wedgewood development. Although not yet funded, Transit is planning to expand this route to full *Connector* status, thus increasing the days of service and improving headways.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** The Applicant proposes to increase the parking by 26 spaces to be located on the west side of Conestoga Trail. The Applicant has met with the residents of Country Side PUD and they are in support of the additional parking spaces. In accordance with Z.O. 1-19-6.210, loading spaces are not required for residential land uses.
5. **Bicycle Parking §1-19-6.220 (H):** The units are not proposed to be increased as part of this application, therefore the bicycle parking is not required.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** Sidewalks are proposed along both sides of the Future Arcadia Drive portion of Conestoga Trail. The approved Arcadia Business Park proposed a 5' wide sidewalk along the entire length of the proposed Arcadia Drive from MD 85 to the end of the proposed cul-de-sac on Lot 4.

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Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Public Water and Sewer:** The site is to be served by public water and sewer and is classified W-1, S-1. The entire site is in pressure Zone #1 with water coming from New Design WTP and Sewer flowing into the Ballenger-McKinney WWTP. Any existing DUSWM facilities within the area of the existing Conestoga Trail and Cloverleaf Drive proposed to be changed from public to private and not already covered by an existing DUSWM easement will require a new water and sewer easement to be recorded.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The Country Side site is flat and sits slightly higher than MD 85. The proposed plan will not significantly alter the existing topography on site.
2. **Vegetation:** The Country Side PUD contains numerous large growth canopy trees through the development. There is also a 100' wooded buffer between Conestoga Trail and the Arcadia Business Park.
3. **Sensitive Resources:** Existing mapping of the site reflects LsA type flooding and wet soils, located on-site. However, after the previous Preliminary/Final Site Plan approval the site was mass graded consistent with approvals in place at that time. The recent site plan note #6 indicates that no wetlands or 100-year floodplain are located on the site. The LsA type flooding and wet soils will not be impacted by the construction of the 26 additional parking spaces.
4. **Natural Hazards:** There are no natural hazards located on site.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

1. **Proposed Common Area:** The site contains homeowner association common grounds, this plan proposes to disturb approximately 4,938 square feet of common ground in order to construct the 26 parking spaces for the residents of Country Side PUD. The Applicant has met with the residents of Country Side PUD and they are in support of the additional parking spaces.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter 1-6A: This plan is only being reviewed to gain FCPC approval for Townhouse access from a private street as required by Z.O. Section 1-19-4.520.B., therefore, MPDUs are not required.

Stormwater Management – Chapter 1-15.2: In accordance with Frederick County Code Section 1-15.2-3.2(B), the site is exempt from stormwater management because the proposed land disturbance is less than 5,000 square feet.

Subdivision Regulations – Chapter 1-16: An Addition Plat (AP 17098) was submitted in order to add a .71 acre portion of existing right-of-way to the existing Arcadia Business Park Lot 6.

APFO – Chapter §1-20:

1. **Schools.** There is no change in density or intensity of the existing Country Side PUD, therefore APFO schools is exempt from further testing.
2. **Water/Sewer.** There is no change in density or intensity of the existing Country Side PUD, therefore APFO water/sewer is exempt from further testing.
3. **Roads.** There is no change in density or intensity of the existing Country Side PUD, therefore APFO roads is exempt from further testing.

Forest Resource – Chapter 1-21: The Applicant has submitted a Combined Preliminary/Final FRO plan for the area of Country Side that is to be added to Russell property Lot 6 (0.88 acres). This area does not contain any specimen trees, but it does contain 0.26 acres of forest which is proposed to be cleared. This forest clearing generates a FRO mitigation amount of 0.29 acres, which is proposed to be met by transferring forest banking credits.

The FRO plan must be approved prior to site plan approval of the Country Side and Russell Property site plans. FRO mitigation must be provided prior to the recordation of any plats and prior to any grading or building permits.

Historic Preservation – Chapter 1-23: There are no Historic Resources located on this Site.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Conditional Approval
Development Review Planning:	Hold: Address agency comments as the plan proceeds through to completion.
State Highway Administration (SHA):	N/A
Div. of Utilities and Solid Waste Mngt. (DUSWM):	Conditional Approval
Health Dept.	Approved
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	N/A

RECOMMENDATION

Staff has no objection to conditional approval of the Site Plan for the construction of 26 additional parking spaces, as well as approval to allow a townhouse development to access a private drive, on a .97-acre portion of the 11.29 acre site. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval, or March 8, 2020.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.
2. **Modification Requests: §1-19-6.400.I Alternative Landscape Plan:** The Applicant is seeking a modification to permit an alternative landscape plan to permit a 13 space parking bay over the required 10 space maximum and to allow the existing 100' wooded buffer to meet the required parking lot buffering and screening requirements.
3. Prior to final stamp and signature of this Site Plan for the Country Side PUD, the Country Side Addition Plat (AP 17098) must be approved and recorded. The liber/folio reference of the Country Side Addition Plat shall be listed within General Note #1.
4. The Open/Close/Alter application for Arcadia Drive shall be approved prior to final stamp and signature of the Country Side PUD.
5. The FRO plan must be approved prior to site plan approval of the Country Side and Russell Property site plans. FRO mitigation must be provided prior to the recordation of any plats and prior to any grading or building permits.

PLANNING COMMISSION ACTION **MOTION TO APPROVE**

I move that the Planning Commission **APPROVE** Site Plan SP 16-11, AP 17059 **with conditions** as listed in the staff report for the proposed site development plan approval for the construction of 26 additional parking spaces, as well as approval to allow a townhouse development to access a private drive, on a .97-acre portion of the 11.29 acre site., based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

insured as a result of continued engineering analyses, changes to site conditions, or if projects may require a revision to this plan. The plan will be used during the first six to nine months of construction, and as such, significant deviations from this plan may result in a revision of the approved Site/Preliminary Plan and proposals for the USD Permit.

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February 13, 2016

Frederick County Planning Commission
30 North Market Street
Frederick, MD 21701

Re: Countryside Site Plan – Landscaping Modification Request
A/P #17059

Dear Commission Members:

We are requesting a modification from the provisions of the Frederick County Zoning Ordinance for Section 1-19-6.400(D)(1) to allow an average of more than 10 spaces per parking bay. We are requesting to have an average of 13 spaces per parking bay. We are requesting to have more spaces per bay to reduce the land disturbance for the additional 26 parking spaces. In addition there are numerous underground utility lines in the vicinity of the development that the larger than target parking bays would allow us to avoid.

In addition, we are also requesting a modification from the provisions of the Frederick County Zoning Ordinance for Section 1-19-6.400(I). This section gives the Planning Commission the ability to modify the minimum landscape buffering and screening standards and to approve an alternate landscaping buffering and screening plan. The reason for this modification lies in the screening of the proposed parking spaces from surrounding areas. The Countryside HOA's limited budget leaves them with difficulty managing existing landscaping. In addition there is roughly a 100' buffer between the proposed parking and the adjacent property Arcadia Business Park (formerly Russell) that is currently landscaped with scattered trees that would screen the proposed parking lot. Therefore, no additional screening is proposed for the 26 new spaces.

Thank you for your consideration.

S. Francis Zeller
Vice President

cc: Matt Holbrook

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